

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

MICHAEL KRAMM

PLAINTIFF

v.

No. 4:08CV104-P-D

ALFONZO RICKS, ET AL.

DEFENDANTS

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated July 30, 2009, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated July 30, 2009, is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That the plaintiff is hereby awarded \$250.00 in damages because defendant Alfonzo Ricks violated the plaintiff's right to due process.
3. That Rule Violation Report number 854265 shall be expunged from the plaintiff's inmate file.

THIS, the 25th day of August, 2009.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE